

Exhibit B

Brad Heurung

From: Andrew Grill
Sent: Thursday, October 3, 2019 4:11 PM
To: Brad Heurung
Subject: Fw: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits
Attachments: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling v2.docx

From: Kathleen Zellner <attorneys@zellnerlawoffices.com>
Sent: Wednesday, October 2, 2019 10:37 AM
To: Andrew Grill <agrill@rfclaw.com>
Cc: Russell Ainsworth <russell@loevy.com>; Lisa Meador <LMeador@jsotoslaw.com>; DEREK KUHN (States Attorney) <DEREK.KUHN@cookcountyil.gov>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; Diamond M. Dixon <ddixon@jsotoslaw.com>; Eileen E. Rosen <ERosen@rfclaw.com>; Jim Sotos <jsotos@jsotoslaw.com>; Jeffrey N. Given <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com <ruth@loevy.com>; Sara J. Schroeder <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>
Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

Andrew,

Your email is unclear; do you agree to the filing of the attached status report? And could counsel for the City and the County respond as well?

Thanks.

On Wed, Oct 2, 2019 at 10:30 AM Andrew Grill <agrill@rfclaw.com> wrote:

Nick,

I don't know how you could have been taken aback. To suggest so is obviously contrary to your emails - exchanged in this discussion and before. You have also been an active participant in this unnecessarily long discussion about a deposition status report, since its beginning when Defendants identified additional witnesses they intend to depose. Plaintiffs' evolving positions regarding a discovery extension have unnecessarily delayed this filing enough. In the interest of moving forward, the Defendant officers will accept the last version you circulated and will address any further arguments in our motion for a discovery extension.

Sincerely,

Andrew

From: Kathleen Zellner <attorneys@zellnerlawoffices.com>
Sent: Wednesday, October 02, 2019 9:47 AM

To: Andrew Grill <agrill@rfclaw.com>

Cc: Russell Ainsworth <russell@loevy.com>; Lisa Meador <LMeador@jsotoslaw.com>; DEREK KUHN (States Attorney) <DEREK.KUHN@cookcountyil.gov>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; Diamond M. Dixon <ddixon@jsotoslaw.com>; Eileen E. Rosen <ERosen@rfclaw.com>; Jim Sotos <jsotos@jsotoslaw.com>; Jeffrey N. Given <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com; Sara J. Schroeder <SSchroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>

Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

Andrew et al.,

I have had the opportunity to go back over all the various iterations of the status report and emails sent back and forth late last night. Quite frankly, I was taken aback by all the additional witnesses Defendants indicated they wanted to depose in response to the initial draft of the status report I sent, and I had several other matters to which I was attending last night that prevented me from taking time to fully think through Plaintiff Fulton's position in response.

After taking additional time to think about it, Plaintiff Fulton's position is that no extension to fact discovery should be granted. The version of the status report last circulated by Russell reflects Plaintiff Fulton's position. I have attached that version of the status report.

If Defendants feel that they need to add to the status report to elaborate on their position, they may do so. But this version of the status report reflects Plaintiff Fulton's position.

I will be in a deposition starting at 10:00, so I will not be able to respond to any emails until at least 12:00.

Nick

On Wed, Oct 2, 2019 at 9:35 AM Andrew Grill <agrill@rfclaw.com> wrote:

Russell/Nick,

Please file the status report since all parties are in agreement with the report language.

Thanks,

Andrew

From: Kathleen Zellner <attorneys@zellnerlawoffices.com>

Sent: Wednesday, October 02, 2019 12:25 AM

To: Russell Ainsworth <russell@loevy.com>

Cc: Andrew Grill <agrill@rfclaw.com>; Lisa Meador <LMeador@jsotoslaw.com>; DEREK KUHN (States Attorney) <DEREK.KUHN@cookcountyil.gov>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; Diamond M. Dixon <ddixon@jsotoslaw.com>; Eileen E. Rosen <ERosen@rfclaw.com>; Jim Sotos <jsotos@jsotoslaw.com>; Jeffrey N. Given <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com; Sara J. Schroeder <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>

Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

I'm fine with not filing until tomorrow morning, but I do not anticipate changing Plaintiff Fulton's position as stated in the most recent version of the report I circulated.

I'm signing off for the evening. We can reconvene tomorrow.

On Wed, Oct 2, 2019 at 12:21 AM Russell Ainsworth <russell@loevy.com> wrote:

I propose we sleep on it and file in the morning.

On Wed, Oct 2, 2019 at 12:10 AM Andrew Grill <agrill@rfclaw.com> wrote:

Nick, your draft is acceptable to the Officer Defendants. Thanks.

-Andrew

From: Kathleen Zellner <attorneys@zellnerlawoffices.com>

Sent: Wednesday, October 2, 2019 12:09 AM

To: Lisa Meador <LMeador@jsotoslaw.com>

Cc: Russell Ainsworth <russell@loevy.com>; DEREK KUHN (States Attorney) <DEREK.KUHN@cookcountyil.gov>; Andrew Grill <agrill@rfclaw.com>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; Diamond M. Dixon <DDixon@jsotoslaw.com>; Eileen E. Rosen <ERosen@rfclaw.com>; Jim Sotos <JSotos@jsotoslaw.com>; Jeffrey N. Given <JGiven@jsotoslaw.com>; Jim Novy

<JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com <ruth@loevy.com>; Sara J. Schroeder <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>

Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

Can you clarify, Lisa? I attached a draft which I think encompasses our respective positions as reflected in my last email (see paragraphs 8-10).

On Wed, Oct 2, 2019 at 12:00 AM Lisa Meador <LMeador@jsotoslaw.com> wrote:

Thank you for the clarification, Nick. We were under the understanding that the submission was from both plaintiffs. I would suggest then that paragraph 6 be revised per your statement below. Please send us a revised version to review.

Lisa M. Meador
The Sotos Law Firm, P.C.
(630) 735-3313

Please note that we have moved. Our new address is:
141 W. Jackson Blvd
Suite 1240A
Chicago, Illinois 60604

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From: Kathleen Zellner [mailto:attorneys@zellnerlawoffices.com]

Sent: Tuesday, October 01, 2019 11:57 PM

To: Russell Ainsworth

Cc: Lisa Meador; DEREK KUHN (States Attorney); Andrew Grill; Austin Rahe; Arthur Loevy; Brad Heurung; Diamond M. Dixon; Eileen E. Rosen; Jim Sotos; Jeffrey N. Given; Jim Novy; Jonathan Loevy; Kara Hutson; Patrick R. Moran; Rachel Brady; ruth@loevy.com; Sara J. Schroeder; TIMOTHY HORVAT (States Attorney); Ethan Woodward

Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

My understanding is that Plaintiff Coleman opposes any extension to fact discovery.

On behalf of Plaintiff Fulton, I think that a brief extension will likely be required to complete the few depositions specifically referenced in the first iteration of the status report, which are those that have been specifically discussed between the parties. I think this is where the confusion comes from, as the first version of the report was drafted by me (not Russell). My apologies for any confusion I inadvertently created.

I have attached a draft that I think fairly represents our respective positions. Please let me know what you think.

On Tue, Oct 1, 2019 at 11:51 PM Russell Ainsworth <russell@loevy.com> wrote:

If you want that language in, then we will add:

"After submitting Plaintiff's initial draft, Defendants added over a dozen new witnesses that heretofore they had not indicated they were seeking to depose nor have they made any effort to depose to date. Therefore, Plaintiffs oppose Defendants' request for an extension of fact discovery."

It might be a little redundant of our later language, but if you want to include our previous draft language, we need to explain why we are now taking the position that we oppose an extension to fact discovery. We're probably better off leaving out the draft language and the explanation.

On Tue, Oct 1, 2019 at 11:46 PM Lisa Meador <LMeador@jsotoslaw.com> wrote:

That does not answer the question, but so be it. Then please add to the end of paragraph 6 the following: Defendants advise that in Plaintiffs' initial draft of this status report, paragraph 6 provided: "[t]he parties contemplate that a motion for extension of time to complete fact discovery may be needed to conduct remaining depositions" which was maintained through numerous revised drafts until 11:04 pm when Plaintiffs' counsel advised Defendants' counsel "this was not their position."

Please send a final draft for our review.

Thanks,
Lisa

Lisa M. Meador
The Sotos Law Firm, P.C.
(630) 735-3313

Please note that we have moved. Our new address is:
141 W. Jackson Blvd
Suite 1240A
Chicago, Illinois 60604

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From: Russell Ainsworth [mailto:russell@loevy.com]
Sent: Tuesday, October 01, 2019 11:33 PM
To: Lisa Meador
Cc: DEREK KUHN (States Attorney); Andrew Grill; Kathleen Zellner; Austin Rahe; Arthur Loevy; Brad Heurung; Diamond M. Dixon; Eileen E. Rosen; Jim Sotos; Jeffrey N. Given; Jim Novy; Jonathan Loevy; Kara Hutson; Patrick R. Moran; Rachel Brady; ruth@loevy.com; Sara J. Schroeder; TIMOTHY HORVAT (States Attorney); Ethan Woodward
Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

Hi Lisa,

It's not our position. Please leave the revised paragraph 6 as it is.

On Tue, Oct 1, 2019 at 11:31 PM Lisa Meador <LMeador@jsotoslaw.com> wrote:

Russell-

Plaintiffs submitted the first draft of this status report to us which provided in paragraph 6:
"The parties contemplate that a motion for extension of time to complete fact discovery may be needed to conduct remaining depositions." Every draft exchanged since then has maintained this

same language despite numerous revisions throughout the remaining report until your draft a few minutes ago. Please explain what you mean that it is not your position. Has this never been your position or is it now not your position?

Lisa

Lisa M. Meador
The Sotos Law Firm, P.C.
(630) 735-3313

Please note that we have moved. Our new address is:
141 W. Jackson Blvd
Suite 1240A
Chicago, Illinois 60604

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From: Russell Ainsworth [mailto:russell@loevy.com]
Sent: Tuesday, October 01, 2019 11:25 PM
To: DEREK KUHN (States Attorney)
Cc: Andrew Grill; Kathleen Zellner; Austin Rahe; Arthur Loevy; Brad Heurung; Diamond M. Dixon; Eileen E. Rosen; Jim Sotos; Jeffrey N. Given; Jim Novy; Jonathan Loevy; Kara Hutson; Lisa Meador; Patrick R. Moran; Rachel Brady; ruth@loevy.com; Sara J. Schroeder; TIMOTHY HORVAT (States Attorney); Ethan Woodward
Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

Sorry, Andrew, that's not our position. We oppose an extension. Paragraph 6 needs to remain as submitted.

On Tue, Oct 1, 2019 at 11:20 PM DEREK KUHN (States Attorney) <DEREK.KUHN@cookcountyil.gov> wrote:

We are fine with this version. You can leave my signature on. Thanks.

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From: Andrew Grill <agrill@rfclaw.com>
Sent: Tuesday, October 1, 2019 11:16:59 PM
To: Kathleen Zellner <attorneys@zellnerlawoffices.com>; Russell Ainsworth <russell@loevy.com>
Cc: Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; ddixon@jsotoslaw.com <ddixon@jsotoslaw.com>; DEREK KUHN (States Attorney) <DEREK.KUHN@cookcountyil.gov>; Eileen E. Rosen <ERosen@rfclaw.com>; James Gus Sotos <jsotos@jsotoslaw.com>; jgiven@jsotoslaw.com <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; LMeador@jsotoslaw.com <LMeador@jsotoslaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com <ruth@loevy.com>; sschroeder@jsotoslaw.com <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>
Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

Russell/Nick,

Per the attached, I edited paragraph 6 because, as written, it was inconsistent with paragraph 9. It was also inconsistent with the positions plaintiffs have taken with these drafts because plaintiffs don't dispute that a discovery extension will be sought, but rather how long of an extension is appropriate. We also agree that

Derek's name should be taken off b/c we haven't heard from him. Please let me know as soon as possible if we have reached an accord so we can all go to bed.

-Andrew

From: Kathleen Zellner <attorneys@zellnerlawoffices.com>

Sent: Tuesday, October 1, 2019 11:05 PM

To: Russell Ainsworth <russell@loevy.com>

Cc: Andrew Grill <agrill@rfclaw.com>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; ddixon@jsotoslaw.com <ddixon@jsotoslaw.com>; derek.kuhn@cookcountyil.gov <derek.kuhn@cookcountyil.gov>; Eileen E. Rosen <ERosen@rfclaw.com>; James Gus Sotos <jsotos@jsotoslaw.com>; jgiven@jsotoslaw.com <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; LMeador@jsotoslaw.com <LMeador@jsotoslaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com <ruth@loevy.com>; sschroeder@jsotoslaw.com <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>

Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

I am fine with this version, Russell. My only suggestion is that we take Derek's signature off of it, since we have not heard from him.

On Tue, Oct 1, 2019 at 11:04 PM Russell Ainsworth <russell@loevy.com> wrote:

Take a look at the attached. Nick hasn't seen it, so we'll need his thoughts on it as well.

I added "In response, Defendants maintain that" at the beginning of your added language, because otherwise it was hard to follow.

On Tue, Oct 1, 2019 at 10:55 PM Andrew Grill <agrill@rfclaw.com> wrote:

alright, if nick is also on board, please circulate a final draft that includes both sides' additional language so I can see it one last time before it's filed. thanks.

From: Russell Ainsworth <russell@loevy.com>

Sent: Tuesday, October 1, 2019 10:54 PM

To: Andrew Grill <agrill@rfclaw.com>

Cc: Kathleen Zellner <attorneys@zellnerlawoffices.com>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; ddixon@jsotoslaw.com <ddixon@jsotoslaw.com>; derek.kuhn@cookcountyil.gov <derek.kuhn@cookcountyil.gov>; Eileen E. Rosen <ERosen@rfclaw.com>; James Gus Sotos <jsotos@jsotoslaw.com>; jgiven@jsotoslaw.com <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; LMeador@jsotoslaw.com <LMeador@jsotoslaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com <ruth@loevy.com>; sschroeder@jsotoslaw.com <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>

Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

I'm okay with this.

On Tue, Oct 1, 2019 at 10:53 PM Andrew Grill <agrill@rfclaw.com> wrote:

Russell/Nick, Defendants will agree to the inclusion of your sentence if you agree to include the following from Defendants:

Plaintiff's statement that discovery should not be extended on the basis that Defendants have not yet sought to depose these witnesses is a mischaracterization of what has heretofore been a mutually agreed upon deposition schedule that was designed to first address the depositions of occurrence witness and the Parties. Defendants have never taken the position that the only depositions are the first round of occurrence witnesses and parties. Nor have Defendants have ever provided an exhaustive list of deponents, and Plaintiffs never requested one. Indeed, the witnesses Defendants want to depose are listed on Defendants' initial disclosures.

From: Russell Ainsworth <russell@loevy.com>

Sent: Tuesday, October 1, 2019 10:21 PM

To: Andrew Grill <agrill@rfclaw.com>

Cc: Kathleen Zellner <attorneys@zellnerlawoffices.com>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; ddixon@jsotoslaw.com <ddixon@jsotoslaw.com>; derek.kuhn@cookcountyil.gov <derek.kuhn@cookcountyil.gov>; Eileen E. Rosen <ERosen@rfclaw.com>; James Gus Sotos <jsotos@jsotoslaw.com>; jgiven@jsotoslaw.com <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; LMeador@jsotoslaw.com <LMeador@jsotoslaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com <ruth@loevy.com>; sschroeder@jsotoslaw.com <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>

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Plaintiffs oppose an extension of fact discovery to depose Defendants' list of additional witnesses, whom Defendants had not previously sought to depose.

On Tue, Oct 1, 2019 at 10:14 PM Andrew Grill <agrill@rfclaw.com> wrote:

Well, to be fair, Russell, your suggested edits (that we erased) did exactly that - they unfairly characterized Defendants' position. Send me your one sentence so I can see it.

From: Russell Ainsworth <russell@loevy.com>

Sent: Tuesday, October 1, 2019 10:10 PM

To: Andrew Grill <agrill@rfclaw.com>

Cc: Kathleen Zellner <attorneys@zellnerlawoffices.com>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; ddixon@jsotoslaw.com <ddixon@jsotoslaw.com>; derek.kuhn@cookcountyil.gov <derek.kuhn@cookcountyil.gov>; Eileen E. Rosen <ERosen@rfclaw.com>; James Gus Sotos <jsotos@jsotoslaw.com>; jgiven@jsotoslaw.com <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; LMeador@jsotoslaw.com <LMeador@jsotoslaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com <ruth@loevy.com>; sschroeder@jsotoslaw.com <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>

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No, it doesn't, because it does not set forth Mr. Coleman's concern.

It's inappropriate for Defendants to assert what adequately conveys Mr. Coleman's position to the Court. We will succinctly set forth our position in one sentence. If you have an objection to our one sentence, please raise it with the Court.

On Tue, Oct 1, 2019 at 10:06 PM Andrew Grill <agrill@rfclaw.com> wrote:

Then, to your point, paragraph 9, which states that, "The parties intend on submitting their differing positions to Judge Pacold via either a joint status report or a motion for extension of time to complete fact discovery prior to the initial status date with her, set for November 7, 2019" should satisfy your concern.

From: Russell Ainsworth <russell@loevy.com>

Sent: Tuesday, October 1, 2019 10:01 PM

To: Andrew Grill <agrill@rfclaw.com>

Cc: Kathleen Zellner <attorneys@zellnerlawoffices.com>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; ddixon@jsotoslaw.com <ddixon@jsotoslaw.com>; derek.kuhn@cookcountyil.gov <derek.kuhn@cookcountyil.gov>; Eileen E. Rosen <ERosen@rfclaw.com>; James Gus Sotos <jsotos@jsotoslaw.com>; jgiven@jsotoslaw.com <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; LMeador@jsotoslaw.com <LMeador@jsotoslaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com <ruth@loevy.com>; sschroeder@jsotoslaw.com <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>

Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

I'm not speaking for Fulton.

Plaintiff Coleman's position is that we oppose an extension of fact discovery at this time.

I think it entirely appropriate to flag issues for the court in the status report - Defendants are attempting to add over a dozen witnesses to the deposition schedule that heretofore haven't been mentioned. That presents an issue for Plaintiffs, and we wish to simply in one sentence alert the court to that issue. That is entirely appropriate.

If you don't agree, then Defendants draft their portion in their section, and Plaintiffs can draft their portion in a separate section.

On Tue, Oct 1, 2019 at 9:53 PM Andrew Grill <agrill@rfclaw.com> wrote:

Russell,

Are you speaking for Fulton as well? As Nick already said, this is not the forum to resolve a discovery dispute. The Parties can lay out their positions about how much of an extension may be needed in any future motion to extend discovery. The last draft of the status report sets forth the deps that were taken and identifies the remaining people each side wants to depose. That is what the Court specifically asked both sides to update the Court about. If the Court wanted us to also give it a preview about any potential motion practice, we would have been asked to do so. We were not. As such, I cannot see what basis you have to disagree with the last draft of the status report. Please accept our last round of edits and file it.

Thanks,

Andrew

From: Russell Ainsworth <russell@loevy.com>

Sent: Tuesday, October 1, 2019 9:37 PM

To: Andrew Grill <agrill@rfclaw.com>

Cc: Kathleen Zellner <attorneys@zellnerlawoffices.com>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; ddixon@jsotoslaw.com <ddixon@jsotoslaw.com>; derek.kuhn@cookcountyil.gov <derek.kuhn@cookcountyil.gov>; Eileen E. Rosen <ERosen@rfclaw.com>; James Gus Sotos <jsotos@jsotoslaw.com>; jgiven@jsotoslaw.com <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; LMeador@jsotoslaw.com <LMeador@jsotoslaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; ruth@loevy.com <ruth@loevy.com>; sschroeder@jsotoslaw.com <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney)

<TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>

Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

Andrew, we don't agree. Why don't you phrase your position how you'd like to phrase your position, and Plaintiffs will phrase theirs as we originally submitted.

On Tue, Oct 1, 2019 at 8:41 PM Andrew Grill <agrill@rfclaw.com> wrote:

Russell/Nick,

Attached are Defendants' revisions. We believe this fairly captures the Parties' respective positions and dispenses with any advocacy regarding either sides' position, which, I believe, is consistent with the spirit of your last email. If Plaintiffs are in agreement with these latest revisions, please go ahead and file. Thanks again for sending around the initial draft.

Sincerely,

Andrew

From: Kathleen Zellner <attorneys@zellnerlawoffices.com>

Sent: Tuesday, October 1, 2019 6:49 PM

To: Andrew Grill <agrill@rfclaw.com>; Austin Rahe <arahe@rfclaw.com>; Arthur Loevy <arthur@loevy.com>; Brad Heurung <bheurung@rfclaw.com>; ddixon@jsotoslaw.com <ddixon@jsotoslaw.com>; derek.kuhn@cookcountyil.gov <derek.kuhn@cookcountyil.gov>; Eileen E. Rosen <ERosen@rfclaw.com>; James Gus Sotos <jsotos@jsotoslaw.com>; jgiven@jsotoslaw.com <jgiven@jsotoslaw.com>; Jim Novy <JNovy@rfclaw.com>; Jonathan Loevy <jon@loevy.com>; Kara Hutson <khutson@rfclaw.com>; LMeador@jsotoslaw.com <LMeador@jsotoslaw.com>; Patrick R. Moran <pmoran@rfclaw.com>; Rachel Brady <brady@loevy.com>; Russell Ainsworth <russell@loevy.com>; ruth@loevy.com <ruth@loevy.com>; sschroeder@jsotoslaw.com <sschroeder@jsotoslaw.com>; TIMOTHY HORVAT (States Attorney) <TIMOTHY.HORVAT@cookcountyil.gov>; Ethan Woodward <ethan@loevy.com>

Subject: Re: 2019.10.01 - Parties Joint Status Report re Deposition Scheduling (draft).ajg edits

Andrew,

We have differing views on how much additional time should be granted to complete fact discovery and, relatedly, the number of remaining fact witnesses who should be deposed. Since the status report is not the forum for resolving that dispute, I think we should just set forth our respective positions on the number of other witness depositions to be completed.

I have attached a revised draft. Please let me know your thoughts ASAP.

Also, Derek, could you let us know your position on behalf of Garfinkel and the County?

On Tue, Oct 1, 2019 at 5:35 PM Andrew Grill <agrill@rfclaw.com> wrote:

Russell/Nick,

Attached are Defendants' edits to the status report. If you are ok with these, please go ahead and file.

Thanks,

Andrew

--

Kathleen T. Zellner & Associates, P.C.

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